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NOTE: CHANGES MADE BY THE COURT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JOSEPH ROBERT DEVILLE JR. and
ROBERT L. BENNION, as individuals,

Plaintiffs,

v.

DYNAMAX CORPORATION, a
corporation; RICHARDSON RV
CENTERS a business entity form
unknown; ALLISON TRANSMISSION,
INC., a corporation and DOES 1 through
50, inclusive,

Defendants.

DYNAMAX CORPORATION, an Indiana
corporation,

Third Party Plaintiff,

v.

DAIMLER TRUCKS NORTH AMERICA,
LLC, a Delaware corporation; and ROES
1-10, inclusive,

Third Party Defendants.

CASE NO. ED CV 08-000791 SGL(FFMx)

Complaint Filed: May 12, 2008

[Assigned for All Purposes to Judge Stephen Larson,
Courtroom 1]

**ORDER RE: LEAVE TO FILE THIRD
PARTY COMPLAINT**

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

In light of the stipulation by and between Plaintiffs JOSEPH ROBERT DEVILLE JR. and ROBERT L. BENNION, Defendant/Third-Party Plaintiff DYNAMAX CORPORATION, Defendant RICHARDSON RV CENTERS, and Defendant ALLISON TRANSMISSION, INC., through their counsel of record,

IT IS HEREBY ORDERED that:

1. The Third Party Complaint of Defendant/Third Party Plaintiff DYNAMAX CORPORATION SHALL be electronically filed as a separate entry to the docket following entry of this order.

NOTE: CHANGES MADE BY THE COURT

DATED: November 7, 2008

JUDGE OF THE DISTRICT COURT

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I am employed in the County of Riverside, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 3801 University Avenue, Suite 710, Riverside, California 92501-3255.

On October ___, 2008, I served the following document(s) described as
[PROPOSED] ORDER RE: LEAVE TO FILE THIRD PARTY COMPLAINT on the
interested parties in this action by placing true copies thereof enclosed in sealed
envelopes addressed as follows:

SEE ATTACHED LIST

BY MAIL: I am “readily familiar” with Wood, Smith, Henning & Berman’s practice for collecting and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such envelope(s) were placed for collection and mailing with postage thereon fully prepaid at Riverside, California, on that same day following ordinary business practices.

BY EFILE SERVICE: The above document was served on the interested party named above by electronic means via Efile.

I declare under penalty of perjury that I am employed by a member of the Bar of this Court, at whose direction this service is made.

Executed on October , 2008, at Riverside, California.

DIANNE MARCIANO

1 **SERVICE LIST**

2 **Deville, et al. v. Dynamax Corporation, et al.**
3 Case No. 5985-001

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